

AN ORDINANCE 2007-05-30-0591

ESTABLISHING A SEVEN-MEMBER RIVER COMMISSION TO ADVISE CITY COUNCIL ON ALL ASPECTS OF THE DEVELOPMENT AND OPERATIONS OF THE RIVER WALK AND THE SAN ANTONIO RIVER.

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WHEREAS, in January 2007, Mayor Phil Hardberger formed an advisory panel to evaluate recommendations that the City of San Antonio establish a River Commission in order to protect the ambience and charm of the San Antonio River Walk; and

WHEREAS, the advisory panel has submitted a final recommendation to the Mayor regarding the creation of the River Commission, the structure and terms for the members and the mission for the Commission; and

WHEREAS, it is the intent of the advisory panel that the River Commission should be designed to support a business-friendly, simplified, and timely process for those who are developing along the River, that the Commission should encourage public/private collaboration to facilitate public dialogue and recommend policy and make recommendations of the use of incentives to encourage local business and desirable land use and designs that preserve, protect, and enhance the history, heritage, and ambience of the River, and that the Commission shall provide policy advice governing activities and events, operations and maintenance along the San Antonio River; and

WHEREAS, the proposed River Commission will be an advisory body that will provide public oversight, devise strategy, and provide public policy advice regarding the River Walk and San Antonio River to preserve, protect, and enhance the history, heritage, and ambience of the River; **NOW THEREFORE**:

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:

SECTION 1. Creation of the San Antonio River Commission. The San Antonio River Commission is created to provide public oversight, devise strategy, and provide public policy advice regarding the River Walk and San Antonio River within the zoning district boundaries of RIO districts 1 through 6.

SECTION 2. Mission of the River Commission. The mission of the River Commission is to preserve, protect, and enhance the history, heritage, ambience, charm, and uniqueness of the River.

SECTION 3. River Commission Duties.

- (a) The River Commission shall provide public oversight on policies related to the following issues in order to protect the experience on the River Walk:
- Comprehensive Plans and Land Use
 - Design Requirements
 - Preservation of History and Ambience
 - Operations and Maintenance Standards
 - Development Process
 - Events and Activities
 - Water Quality, Quantity, and Clarity
 - Compliance with laws, ordinances, and permits

- (b) The River Commission shall advise and propose changes and updates to the City Council for:
 - the Unified Development Code (UDC);
 - the design requirements and guidelines along the San Antonio River;
 - other ordinances and regulations that impact the River;
 - any proposed master plans, conservation districts, landmarks, overlay districts, neighborhood plans, TIRZ designations, and zoning policy proposed within the RIO districts.
- (c) The Commission shall provide advice to the City Council or other public agencies on policies related to flood control, water quality, quantity, and clarity, to the extent that they affect the ambience and charm of the San Antonio River.
- (d) The Commission shall advise the Historic and Design Review Commission (HDRC), Planning Commission, Zoning Commission, and Board of Adjustments on zoning, land use and design requirements related to both public and private projects within the RIO Districts.

SECTION 4. Discretionary Review of Development Matters. The River Commission shall have discretion to do the following on a case-by-case basis:

- (a) Receive information or public briefings by applicants regarding Development Matters submitted to the City for consideration or approval by public review boards and commissions; and
- (b) Provide written comments, advice, or recommendations to those boards and City staff regarding the Development Matter in question.
- (c) The River Commission shall follow the procedures set out in section 35-402 Chapter 35, Unified Development Code, of the City Code of San Antonio Texas as amended from time to time for exercising its discretionary review of development matters.

SECTION 5. Structure and Appointment Terms.

- (a) The Commission shall be made up of seven at-large members serving staggered 3-year terms, for a maximum of three consecutive terms, or a total of nine years.
- (b) Two initial members of the Commission shall serve one year terms, two shall serve two year terms, and three shall serve three year terms. Terms shall commence upon the appointment of the first members of the Commission. Subsequent appointees shall serve three year terms, subject to subsection (a) above.
- (c) A vacancy on the Commission is filled for the remainder of the unexpired term in the same manner as the original appointment.

SECTION 6. Board Composition. The River Commission members shall be appointed or reappointed by the City Council, and composed according to the following categories:

1. 2 members shall be in the category of tourism;
2. 2 members shall be in the category of business;
3. 1 member shall be in the category of conservation;
4. 1 member shall be in the category of historic preservation; and
5. 1 member shall be in the category of community leader.

SECTION 7. Eligibility for Appointment. All members of the River Commission must be residents of the Bexar County. Expertise is preferred, but not required, in one or more of the areas of local business, community service, development, architecture, landscape, urban planning, the Arts, Historian, Entertainment and Tourism or experience in business along the San Antonio River.

SECTION 8. Chair and Vice Chair of River Commission. The initial Chair of the Commission shall be appointed by the Mayor. Subsequent appointments of the Chair and Vice Chair shall be made by election by the River Commission from among its members. The Chair and Vice Chair shall serve one year terms in that position with no limitation on the number of terms served, but shall comply with the maximum terms for membership on the Commission.

SECTION 9. Advisory Committees. In order to support its work, the Commission may form Advisory Committees or Technical Advisory Groups from time to time in which individuals representing certain technical disciplines or areas of special expertise will provide technical or specific professional assistance. Such ad hoc efforts shall be led by two of the River Commissioners.

SECTION 10. River Commission Meetings. The River Commission shall meet on a monthly basis at a time and place as stipulated by the Chairperson. Special meetings can occur outside of these dates as it may be necessary.

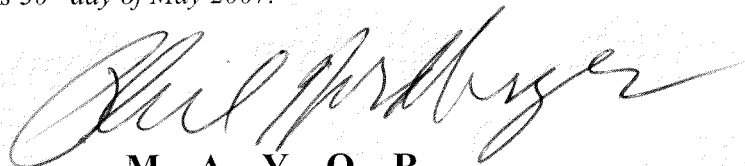
SECTION 11. Application of Other Laws.

- (a) **City Code provisions for Boards and Commissions.** To the extent not in conflict with this Ordinance, the City's Rules for Boards and Commissions, codified in Article 2, Section IX of the City Code of the City of San Antonio apply to the Commission.
- (b) **Annual Report and First Year Review.** The Commission shall provide an annual report to the City council concerning its activities and policy recommendations. As part of the first year annual report, the Commission shall provide a comprehensive review of its procedures, accomplishments, and interaction with other City boards and commissions. It shall, if necessary, make recommendations for changes in City procedures or ordinances to improve its effectiveness. The annual report required under this subsection shall satisfy the requirements of the annual reports required under City Code section 2-542.
- (c) **Ethics Code.** All River Commission members shall be subject to the requirements set forth in the City's Ethics Code, as applicable to City Officials.

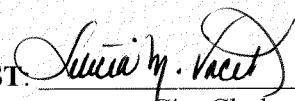
SECTION 12. Compensation. Commission members shall not be entitled to compensation for service on the River Commission.

SECTION 13. Effective Date. This Ordinance is effective immediately upon the receipt of eight (8) affirmative votes, or in the event eight (8) affirmative votes are not received, ten (10) days after passage.

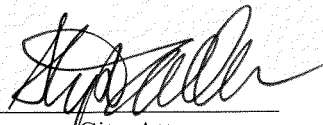
PASSED AND APPROVED this 30th day of May 2007.



M A Y O R
PHIL HARDBERGER

ATTEST: 
City Clerk

APPROVED AS TO FORM:


City Attorney

Agenda Voting Results

Name: 4. Creation of a River Commission

Date: 05/30/07

Time: 11:02:46 AM

Vote Type: Multiple selection

Description:

Voter	Group	Status	Yes	No	Abstain
ROGER O. FLORES	DISTRICT 1		X		
SHEILA D. MCNEIL	DISTRICT 2		X		
ROLAND GUTIERREZ	DISTRICT 3		X		
RICHARD PEREZ	DISTRICT 4		X		
PATTI RADLE	DISTRICT 5		X		
DELICIA HERRERA	DISTRICT 6		X		
ELENA K. GUAJARDO	DISTRICT 7		X		
ART A. HALL	DISTRICT 8			X	
KEVIN A. WOLFF	DISTRICT 9		X		
CHIP HAASS	DISTRICT_10		X		
MAYOR PHIL HARDBERGER	MAYOR		X		

Agenda Voting Results

Name: 4. Radle Amendment to allow environmental category

Date: 05/30/07

Time: 11:20:09 AM

Vote Type: Multiple selection

Description:

Voter	Group	Status	Yes	No	Abstain
ROGER O. FLORES	DISTRICT 1		x		
SHEILA D. MCNEIL	DISTRICT 2			x	
ROLAND GUTIERREZ	DISTRICT 3		x		
RICHARD PEREZ	DISTRICT 4			x	
PATTI RADLE	DISTRICT 5		x		
DELICIA HERRERA	DISTRICT 6			x	
ELENA K. GUAJARDO	DISTRICT 7		x		
ART A. HALL	DISTRICT 8		x		
KEVIN A. WOLFF	DISTRICT 9			x	
CHIP HAASS	DISTRICT_10			x	
MAYOR PHIL HARDBERGER	MAYOR			x	

Agenda Voting Results

Name: 4. Nomination process; 7 members appointed by Council by category

Date: 05/30/07

Time: 11:20:41 AM

Vote Type: Multiple selection

Description:

Voter	Group	Status	Yes	No	Abstain
ROGER O. FLORES	DISTRICT 1		x		
SHEILA D. MCNEIL	DISTRICT 2		x		
ROLAND GUTIERREZ	DISTRICT 3		x		
RICHARD PEREZ	DISTRICT 4		x		
PATTI RADLE	DISTRICT 5			x	
DELICIA HERRERA	DISTRICT 6		x		
ELENA K. GUAJARDO	DISTRICT 7		x		
ART A. HALL	DISTRICT 8		x		
KEVIN A. WOLFF	DISTRICT 9		x		
CHIP HAASS	DISTRICT_10		x		
MAYOR PHIL HARDBERGER	MAYOR		x		

Agenda Voting Results

Name: 4. Chp 35 Amendments

Date: 05/30/07

Time: 11:21:06 AM

Vote Type: Multiple selection

Description:

Voter	Group	Status	Yes	No	Abstain
ROGER O. FLORES	DISTRICT 1		X		
SHEILA D. MCNEIL	DISTRICT 2		X		
ROLAND GUTIERREZ	DISTRICT 3		X		
RICHARD PEREZ	DISTRICT 4		X		
PATTI RADLE	DISTRICT 5		X		
DELICIA HERRERA	DISTRICT 6		X		
ELENA K. GUAJARDO	DISTRICT 7		X		
ART A. HALL	DISTRICT 8		X		
KEVIN A. WOLFF	DISTRICT 9		X		
CHIP HAASS	DISTRICT_10		X		
MAYOR PHIL HARDBERGER	MAYOR		X		